

**DECLARATION OF DANIEL RAMIREZ MEDINA**

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3 1. I, Daniel Ramirez Medina, make this declaration based on my own  
4 personal knowledge, and if called as a witness, I could and would testify to the  
5 following matters:

6 2. My name is Daniel Ramirez Medina. I was born near La Paz, Baja  
7 California Sur, Mexico, on March 9, 1993. When I was about 10 years old, my parents  
8 brought me to the United States so that my family could have a better life. I have  
9 never left the United States since then. I grew up in California living with my mom  
10 and my brother and sister. Now, I am a father of a three-year-old United States citizen  
11 son, and until my current detention, I had Deferred Action for Childhood Arrivals  
12 (“DACA”) and employment authorization.

13 3. I first applied for DACA in late 2013. When I applied, I paid an  
14 application fee, and I gave the government all of my personal information, including  
15 my birth certificate, my school records, and information about where I lived. I marked  
16 on the application that I had no criminal record or gang affiliation. I also had to go to a  
17 United States Citizenship and Immigration Services (USCIS) biometrics appointment,  
18 where USCIS took my fingerprints and photograph so they could complete a  
19 background check on me.

20 4. I still remember the biometrics appointment because I was so nervous. I  
21 was afraid to go to the office because I did not know whether I could trust the  
22 government, and I thought that they might deport me. But everything went okay.  
23 When I got out of the appointment, I felt relieved, and my family and I went out to eat  
24 to celebrate.

25 5. It was a huge risk to apply for DACA because of all the personal  
26 information I had to share. But the government made me believe that it was worth it  
27 because DACA would protect me from detention and deportation so long as I  
28 qualified for the program, and because the employment authorization would let me

1 find a better job and make a better future for my family. I would not have applied if I  
2 had thought that the government would not keep up its side of the promise.

3 6. The government reviewed my application for multiple months. In 2014,  
4 my DACA application was approved, and I received an employment authorization  
5 card. I felt so happy. My understanding was that DACA and employment  
6 authorization meant that I could work in the country, and I would not be detained or  
7 deported while my DACA was valid.

8 7. With my employment authorization, I was able to work. My first job was  
9 picking oranges in the fields. It is hard work because you have to climb a ladder into a  
10 tree to pick the fruit and put them in a bag. In the summer it is very hot, and even the  
11 shade of the trees that we climb is not enough. The fruit also becomes very heavy in  
12 the bags. Sometimes I got bad chest pains from the weight of the oranges. But it  
13 helped me provide for my family.

14 8. In late 2013, my son Daniel was born. He is my world. I was at the  
15 hospital with his mom when he was born, and I could feel then how even more  
16 important it was to be able to provide for him and support my family.

17 9. On February 28, 2016, I submitted an application to renew my DACA  
18 and employment authorization. As part of the process, I re-submitted personal  
19 information, promised that I had no criminal record or gang affiliation, and I was  
20 required again to go to a USCIS biometrics appointment. USCIS took my fingerprints  
21 and photograph so that they could complete another background check. On May 5,  
22 2016, USCIS approved my DACA renewal application. I received a notice from  
23 USCIS indicating that my renewed DACA is valid from May 5, 2016 to May 4, 2018.  
24 USCIS mailed me a new employment authorization card valid for the same time  
25 period.

26 10. About a month and a half ago, I left California and came to Washington  
27 to find work with my brother and father, so that I can provide better for my son. I have  
28 been looking for work ever since I got here. My hope is to work and finish my

1 education so that I can have a good career, maybe in auto repair or painting cars,  
2 which I really enjoy.

3 11. Looking back on things, I realize that I could have done better in middle  
4 and high school, but some subjects in school, like math and science, were challenging  
5 for me. But after I left school, I realized how important it is get the better jobs, so I  
6 started going to adult school. I am hopeful that in Washington I can go back to adult  
7 school so that I can finish my degree, which I need so that I can support my family  
8 better. My mother, my little sister who is in school, and my son are all counting on  
9 me.

10 12. In school, I behaved well. I do not remember ever being suspended or  
11 expelled.

12 13. Even though I am in Washington to find work to provide for my son, it is  
13 still very difficult to be away from him. I went back to California to see him on New  
14 Year's, and we played with his toys, shared meals, and spent time together. I cry when  
15 I think that New Year's was the last time I saw my son, and I do not know when I will  
16 get to see him again.

17 14. On Friday February 10, 2017, my world broke apart. At about 9:00 a.m.,  
18 ICE agents arrested my father outside our apartment right after he had taken my little  
19 stepbrother to school. I was sleeping on the couch when I woke up to a lot of noise  
20 and saw ICE agents in the room with me. I could see inside the bedroom where my  
21 brother had been asleep, and I could hear my brother and two other ICE agents. I was  
22 so scared. I sat up and turned my head around in disbelief.

23 15. One ICE agent with short hair asked me my name, my birthdate, and  
24 where I was born. I said my name, my birthdate, and that I am from Mexico. At that  
25 point, the agent told me to stand up and turn around. Then, with my arms behind my  
26 back, he placed handcuffs around my wrists, which hurt and left me with marks. I said  
27 at least five times, "I have a work permit. You cannot take me." I kept saying it, but  
28 the agent did not care. I also asked for the warrant, but they would not show me.

1           16. He continued to ask me questions. And he never asked about my tattoo or  
2 about any gang involvement. The ICE agents arrested me and took me along with my  
3 father to a processing center.

4           17. At the processing center, they took my fingerprints, ran them, and  
5 confirmed that I had no criminal history and that my DACA was active. Then, the  
6 same officer with short hair who questioned me at the apartment continued to  
7 interrogate me. He searched me, removed my wallet from my shorts, and took out my  
8 identification and my employment authorization card, which shows that I have  
9 DACA. I told the agent again that I have employment authorization, but the agent said  
10 that it did not matter because I was not from the United States.

11           18. I was surprised and did not know what to say. I was thinking, "What does  
12 my employment authorization mean if not that I can live and work in this country  
13 without being deported?" It felt shocking because they were basically saying that my  
14 authorization and DACA meant nothing.

15           19. The officer then started asking me if I was in a gang. I think he asked me  
16 five to seven times. Each time I said, "No. I am not in a gang." I never said that I was  
17 involved with a gang or that I was "not no more" involved. I said that because I am  
18 not in a gang, and I have never been in a gang or gang-affiliate. In middle and high  
19 school, there were some kids involved in gangs at my school that I knew, but I was  
20 not one of them.

21           20. I was not and am not interested in gangs because that life ends badly,  
22 either in jail or in death. I do not and have not ever wanted that kind of life. I am a  
23 person who wants to build a career and who spends time with family. We go out  
24 shopping or share meals together at home.

25           21. Another agent who had a lot of tattoos on him came over. After I had said  
26 "no, I am not involved in a gang" so many times to the agent with short hair, the other  
27 one chimed in. The agents kept insisting that I was in a gang, naming different gangs.  
28 At one point, he said that I was a "bulldog" from Fresno because I had said that I was

1 from the Fresno area. I laughed because it was such a ridiculous idea, but the agent  
2 with tattoos said, "You see, that's why he's laughing. He's a gang member."

3 22. They would not stop. It felt like forever. I felt an intense amount of  
4 pressure, like if I did not give them something, they would not stop. So, I told them  
5 that I did nothing more than hang out with a few people who may have been Sureños,  
6 but that since I became an adult I have not spoken with any of those people. I never  
7 said that I was involved in that gang or any gang, or that I was a gang member. The  
8 opposite—I kept say "No." I just said that about "hanging out" because they would  
9 not stop. Really, when I was in high school, I knew people that were in gangs, which  
10 is impossible not to if you come from my community and go to the public school. I  
11 never said that I hang out with gang members in Washington.

12 23. The agents started asking me about my tattoo. I have only one tattoo, which  
13 is located on my left forearm and says "La Paz - BCS" and has a nautical star. The ink  
14 is bluish. When I was about 18, I really liked the way tattoos look—like a lot of  
15 people do. In California, I saw people with tattoos in public and at stores, like Wal-  
16 Mart. I talked about it with my friend and he did it for me.

17 24. "La Paz" is where I am from. "BCS" stands for Baja California Sur,  
18 which is where La Paz is located. I decided to go with my hometown because I have  
19 seen a lot of people do that. As for the star, my friend who did the tattoo for me  
20 designed it. We were at my aunt's house. I was trying to decide between a whale tail  
21 and the nautical star. In the end, I liked the way the star looked, so he had a notebook,  
22 and he drew various options of the design. I picked one that I liked.

23 25. When the agents asked me about my tattoo, I said, "It is where I am  
24 from." One of the agents asked me where I lived before Washington, and I said the  
25 "Fresno area." The agent said that if I was from Fresno, then I was definitely a gang  
26 member. He repeated it, saying that everyone from Fresno is in that gang. The agent  
27 then said the star was a tattoo from the Fresno area. I continued to tell them that I am  
28 not in a gang. The agents asked me to sign some papers, but I did not sign anything



1 saying that I was a gang member. I think that the papers I signed had to do with  
2 processing issues, like consular access.

3 26. After I received a call from my brother, the agents got upset because I  
4 would not say who I was speaking with, and they assumed I was speaking with a gang  
5 member. Right after that, they said that they were going to take me to the detention  
6 center. Then, they asked me if I would have any problems in the detention center with  
7 any gang members if they put me in a particular housing unit. I told the officers that I  
8 would not have any problems with any gang members. I said that if they were going to  
9 put me in a particular housing unit at the detention center, I did not want to be with the  
10 Sureños or Norteños. I would want to be with other "*paisas*." "*Paisa*" is short for  
11 "*paisano*" which is a colloquial term for other Mexican people at the detention center.  
12 It basically means Mexican people who are not in a gang.

13 27. The agents then transferred me to the detention center. They told me I  
14 had to wear orange because I was classified as a gang member. Orange means I am a  
15 higher security level. I asked to change the color because I am not a gang member and  
16 did not want to be classified at the higher security level. They told me to fill out a  
17 "Classification Appeal" form. On that form, I had to explain why I disagreed with my  
18 classification level. I wrote "I came in and the officer said I have gang affiliation with  
19 gangs so I wear orange uniform. I do not have a criminal history and I'm not affiliated  
20 with any gangs." I signed the form on February 10, 2017. I saw the form again today,  
21 but the part of my sentence that states "I came in and the officer said" is erased. This  
22 document is attached as Exhibit A. Now it looks like I said "I have gang affiliation,"  
23 but that is not what I said. You can still see my original words on the paper. I did not  
24 erase it and I do not know who did.

25 28. I am currently and have been held in detention at an ICE Detention  
26 Center since Friday morning (February 10, 2017).

27 29. This detention has been very difficult on me, as well as my family. I have  
28 not seen my son. I am not able to work to provide for him while detained. I want to

1 stay in this country and provide a life for my son and family. I, too, want a better  
2 future. I just do not understand why I am being detained.

3  
4 I declare under penalty of perjury under the laws of the United States of  
5 America that the foregoing is true and correct. Executed on February 16, 2017, in  
6 Tacoma, Washington.

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9 Daniel Ramirez

10 Daniel Ramirez Medina  
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# **Exhibit A**



# Classification Appeal

Name: <u>RAMIREZ. MEDINA</u>	A#: <u>207 028 995</u>
Current Classification Level: <input checked="" type="checkbox"/> LEVEL TWO <input type="checkbox"/> LEVEL THREE	

In the space provided explain why you disagree with your classification level assignment. Your appeal will be forwarded to the Classification Review Officer. The Classification Review Officer will review your appeal and forward a recommendation to the Associate Warden. The Associate Warden will make a determination regarding your appeal within five business days. You will receive notification of that decision within ten business days.

I came in and the officer said I have gang affiliation with gangs so I wear a orange uniform. I do not have a criminal history and im not affiliated with any gangs.

Daniel Ramirez 2-10-2017  
 Detainee Signature Date

## Recommendation of the Classification Review Officer

I recommend that the classification level of this detainee: <input type="checkbox"/> Should be changed to <input checked="" type="checkbox"/> Should not be changed
I have based my recommendation on the following: <u>Detainee came into custody on 2/10/17. Detainee has no criminal convictions. The I-213 that ICE provided states that the detainee used to hang out with the Sereno's in California and still hangs out with the Paizas in Washington. Because of gang affiliation ICE standards do not allow a lower custody level. A classification reduction is not recommended.</u>

[Signature] 2/15/17  
 Staff Signature Date

## Decision of the Associate Warden

I have determined that the classification level of this detainee: <input type="checkbox"/> Will be changed as recommended <input type="checkbox"/> Will be changed to <input checked="" type="checkbox"/> Will not be changed
I have based my decision on the following: <u>As stated above</u>

[Signature] 2-15-17  
 Signature Date

Detainee acknowledgement of decision and notice of appeal rights on reverse.

Classification Appeal

CL 004

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